

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Diego Arostegui, Jr.

Docket No. 7:18-CR-166-1D

Petition for Action on Supervised Release

COMES NOW Timothy L. Gupton, Senior U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Diego Arostegui, Jr., who, upon an earlier plea of guilty to Access Device Fraud and Aiding and Abetting, was sentenced by the Honorable James C. Dever III, U.S. District Judge, on April 17, 2019, to the custody of the Bureau of Prisons for a term of 33 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 36 months.

Diego Arostegui, Jr. was released from custody on December 17, 2020, at which time the term of supervised release commenced in the Southern District of Florida.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

Arostegui was ordered to pay any financial balance still owed at the time of release in installments of \$50 per month. On April 20, 2022, the United States Probation Office for the Southern District of Florida conducted a financial investigation to determine what amount the defendant could afford to pay each month. The investigation determined he would be able to pay \$200 per month towards the restitution balance in his case, and the defendant signed a Waiver of Hearing agreeing to the proposed modification. Therefore, it is recommended that the defendant make payments of \$200 per month towards the restitution balance in his case.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall pay restitution at the rate of \$200 per month until such time as the Court may alter that payment schedule in the interest of justice. The United States Probation Office and the United States Attorney's Office shall monitor the payment of restitution and report to the Court any material change in the defendant's ability to pay.

Except as herein modified, the judgment shall remain in full force and effect.

I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Timothy L. Gupton
Timothy L. Gupton
Senior U.S. Probation Officer
310 New Bern Avenue, Room 610
Raleigh, NC 27601-1441
Phone: 919-861-8686
Executed On: May 9, 2022

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ORDER OF THE COURT

Considered and ordered this 16 day of May, 2022, and ordered filed and made a part of the records in the above case.

J. Dever
James C. Dever III
U.S. District Judge